

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Gene Darrough, individually and on behalf of all others similarly situated,

Case No. 2:20-cv-01951-CDS-BNW

Plaintiff

V.

SOC LLC, et al.,

Order Transferring Cases to Single District Judge and Magistrate Judge

Defendants

Nicholas DeFiore, individually and on behalf of all others similarly situated,

Case No. 2:20-cv-01981-APG-EJY

Plaintiff

V.

SOC LLC, et al.,

Defendants

These actions were removed to federal court invoking the Federal Officer Removal Statute.

In 2021, United States District Judge Andrew P. Gordon granted plaintiff Nicholas DeFiore et al.’s motion to remand the case to state court. *DeFiore v. SOC LLC*, 2:20-cv-01981, ECF No. 34. The defendants appealed that decision to the Ninth Circuit. *Id.*, ECF No. 36. The Ninth Circuit issued its opinion holding that removal was proper, and reversed and remanded the case for further proceedings. *Id.*, ECF No. 40.

In April 2022, the related matter of *Gene Darrough v. SOC LLC*, 2:20-cv-01951, was administratively reassigned to District Judge Cristina D. Silva. *Darrough v. SOC LLC*, 2:20-cv-01951, ECF No. 35. The case was stayed until 21 days after the plaintiffs exhausted their appellate rights in *DeFiore*. *Id.*, ECF No. 36.

1 On December 4, 2023, the parties submitted a joint status report. *DeFiore*, 2:20-cv-01981,
2 ECF No. 43. In relevant part, they agree that both matters should proceed before a single district
3 judge and a single magistrate judge. *Id.* Pursuant to Local Rule 42-1(a), actions that involve similar
4 parties, related questions of fact, and the same questions of law may be reassignment to the same
5 district and magistrate judge as reassignment is likely to effect a substantial saving of judicial
6 effort. Because a substantial duplication of labor if the actions will ensue if the matters continue to
7 be heard separately, the cases are consolidated for the purposes of discovery.

8 The Clerk of Court is THEREFORE ORDERED to TRANSFER and REASSIGN: Case
9 No.: 2:20-cv-01981-APG-EJY to District Judge Cristina D. Silva and Magistrate Judge Brenda
10 Weksler for all further proceedings.

11 IT IS FURTHER ORDERED that *Darrough v. SOC LLC*, 2:20-cv-01951 and *DeFiore v. SOC*
12 *LLC*, 2:20-cv-01981 are consolidated for the purposes of discovery.

13 IT IS FURTHER ORDERED that the stay is LIFTED in both *Darrough v. SOC LLC*, 2:20-cv-
14 01951 and *DeFiore v. SOC LLC*, 2:20-cv-01981. The defendants must move to dismiss both actions by
15 filing a single, consolidated motion to dismiss that addresses the complaints in both cases on or
16 before January 31, 2024.

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20 Andrew P. Gordon
21 United States District Judge

22 Dated: December 13, 2023

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25 Cristina D. Silva
26 United States District Judge

Dated: December 13, 2023